

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KEITH NASH,

Petitioner

V.

BETH GRAVES.

Respondent.

Case No. C10-5151RBL/JRC

ORDER GRANTING
APPLICATION TO PROCEED
IN FORMA PAUPERIS

The petitioner in this action is seeking a habeas corpus relief from a state sentence where he is serving community custody and has had his community placement revoked three times for violations of the conditions of placement. He alleges the time he spends on community custody is tolled while he is imprisoned on these revocations and his sentence is being unconstitutionally extended. He is entitled to in forma pauperis status. This case has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §§ 636 (b) (1) (A) and 636 (b) (1) (B) and Local Magistrate Judge's Rules MJR 3 and MJR 4.

ORDER - 1

1 Petitioner's application for leave to proceed *in forma pauperis* (Dkt. # 1) is **GRANTED**.

2 Petitioner does not appear to have access to funds to afford the \$5.00 filing fee.

3 The Clerk is directed to mail a copy of this Order to petitioner.

4 Dated this 9th day of March 2010.

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7 J. Richard Creatura
8 United States Magistrate Judge

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